

CLOSEOUT FOR M92020009

On February 19, 1992 the complainant, [REDACTED] a member of the [REDACTED] staff in NSF's Office of [REDACTED] informed OIG of a conversation she had with the subject, [REDACTED] then a rotating program director for the [REDACTED] Program in the Directorate for [REDACTED]. The complainant alleged that the subject had inappropriately represented an outside organization he had worked for in a conversation with her in which they discussed their strongly different views of NSF support for research at [REDACTED].

According to the complainant, the subject had cited his work on an NSF grant to an outside organization, the [REDACTED] when, during their policy discussion, he stated his experience and credentials. The complainant was concerned that the subject's statement was a possible violation of the conflict-of-interest rules that ban representational activities. The complainant was also concerned about the appropriateness of NSF providing support to outside organizations such as that which had employed the subject. The complainant's perception was that NSF funds for projects by the outside organization and similar institutions were used by the awardees to seek further funding from NSF. The complainant requested, and was granted, confidential source status.

OIG reviewed the award to the outside organization and found that the subject had provided limited, part-time services, in connection with an NSF award, to that outside organization prior to his employment by NSF. A formal recusal was not required and was not found in the award jacket or the conflict-of-interest files maintained by NSF's Office of General Counsel. The subject responded to OIG's request for information by stating that he had formally disassociated himself from the outside organization's NSF award and showed that the publication resulting from the award cited his departure date as preceding his employment at NSF. The name of the individual that replaced him appears in the list of organization officers. The subject stated that during his employment by NSF he had not received any compensation from the award and had not represented the project to any NSF staff during his employment or the following year.

OIG reviewed the award history for the outside organization and similar institutions mentioned by the complainant. The proposals by these organizations were different than basic research proposals in that they were designed to develop new educational policies. Such efforts generally result in an advocacy document promoting a particular policy and a request for further funding. OIG could not find a trend indicating that these organizations were unusually successful in receiving support for their proposals. OIG found that the project the subject was associated with has received support from the Foundation for four related proposals, the first for a pilot project, the second and third (a renewal) for a full-scale study, and the third for the implementation of the recommendations of the study. The pattern of this support was comparable to that seen when an NSF program provides "long-term" support for a basic researcher's project by funding that researcher's successive renewal proposals.

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Rotating program officers are hired by the Foundation with the intent that they will bring with them a high level of understanding and enthusiasm for their programs. OIG was unable to find any evidence to support the allegation that the subject had inappropriately advocated or lobbied for support of the outside organization and further was unable to find evidence that the subject had inappropriate contact with that outside organization during his employment at NSF. Therefore, OIG closed this case without further action.



Concurrence:

Donald E. Buzzelli 11/29/93

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noted

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cc: Signatories
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